

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 7-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

903-197 PCT/US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

Unassigned **10/589796**INTERNATIONAL APPLICATION NO.
PCT/EP2005/001541INTERNATIONAL FILING DATE
11 February 2005PRIORITY DATE CLAIMED
18 Feb. 2004 and 21 April 2004

TITLE OF INVENTION

DISPENSING OF A SUBSTANCE

APPLICANT(S) FOR DO/EO/US

Lucas Alphonsus Maria Evers, Edouard Sterngold

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☒ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 881317892 US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/589796</div>	INTERNATIONAL APPLICATION NO. PCT/EP2005/001541	ATTORNEY'S DOCKET NUMBER 903-197 PCT/US
23. Other items or information: Application Data Sheet; Certificate of Mailing by Express Mail, Return Receipt Postcard		
The following fees have been submitted:		CALCULATIONS PTO USE
24. <input checked="" type="checkbox"/> Basic national fee \$300		\$ 300.00
25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200		\$ 200.00
26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500		\$ 400.00
TOTAL OF 24, 25 and 26 =		\$ 900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)
- 100 =	0 /50 =	0
x \$250.00		\$ 0.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	54 - 20 =	34
Independent claims	12 - 3 =	9
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/>		+ \$360.00
TOTAL OF ABOVE CALCULATIONS =		\$ 4,400.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$ 2,200.00
SUBTOTAL =		\$ 2,200.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$ 0.00
TOTAL NATIONAL FEE =		\$ 2,200.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$ 0.00
TOTAL FEES ENCLOSED =		\$ 2,200.00
Amount to be		\$
Amount to be		\$

10/589796

IAP6 Rec'd PCT/PTO 17 AUG 2006

Approved for use through 3/31/2007. OMB 0651-0021
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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 08-2461 in the amount of \$ \$2,200.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2461. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Salvatore J. Abbruzzese
HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791


SIGNATURE

John S. Sopko


NAME

41,321

REGISTRATION NUMBER

August 17, 2006

DATE

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. 903-197 PCT/US	
Applicant(s): Evers et al.				
Application No. Unassigned	Filing Date Herewith	Examiner Unassigned	Customer No. 23869	Group Art Unit Unassigned
Invention: DISPENSING OF A SUBSTANCE				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> Transmittal Letter to the US Designated/Elected Office (3 pgs + duplicate); Change of Correspondence Address (1 pg); Application Data Sheet (3 pgs); Preliminary Amendment (23 pgs); Copy of WO 2005/077811 A2; Copy of WO 2005/077811 A3; Information Disclosure Statement (3 pgs); Forms PTO-1449 (2 pgs); Copies of International Search Report and EP Search Report; Copies of Non-US references; Return Receipt Postcard </div> <p style="text-align: center; margin: 5px 0;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <div style="margin: 10px 0;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p style="text-align: center;"><u>August 17, 2006</u></p> <p style="text-align: center;"><i>(Date)</i></p> </div> <div style="width: 50%;"> <p style="text-align: center;"><u>Marcy H. Mancuso</u></p> <p style="text-align: center;"><i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <div style="margin-top: 10px;"> <p style="text-align: center;"></p> <p style="text-align: center;"><i>(Signature of Person Mailing Correspondence)</i></p> </div> <p style="text-align: center;"><u>EV 881317892 US</u></p> <p style="text-align: center;"><i>("Express Mail" Mailing Label Number)</i></p> </div> </div> </div>				
<p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p> <p>HOFFMANN & BARON, LLP 6900 Jericho Turnpike Syosset, NY 11791</p>				

Doc Code:

Approved for use through 12/31/2008. OMB 0651-0035

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**CHANGE OF
CORRESPONDENCE ADDRESS
Application**Address to:
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Alexandria, VA 22313-1450

Application Number	Unassigned
Filing Date	Herewith 10/589796
First Named Inventor	Lucas Evers
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	903-197 PCT/US

Please change the Correspondence Address for the above-identified application to:

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I am the:

☐ Applicant/Inventor☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).☐ Attorney or Agent of record. Registration Number _____☒ Registered practitioner named in the application transmittal letter in an application without an
executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number 41,321

Signature

Typed or Printed John S. Sopko

Date

August 17, 2006

Telephone

(973) 331-1700

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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